

2. Title

Emission Standards: Existing Small Municipal Waste Combustion Units.

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:

Subsection 19-2-104(3)(q) allows the Air Quality Board to implement the requirements of federal air pollution laws. Under Section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)), EPA issues standards of performance for existing sources at the time standards are issued for new sources, and states are required to prepare plans and rules to implement the standards for existing sources. R307-223 implements the standards for existing Incinerators for Small Municipal Waste Combustion Units, as required by 40 CFR Part 60, Subpart BBBBB. The corresponding plan is incorporated by reference in R307-220-4. R307-223 also includes necessary definitions, emission restrictions, control device specifications, and a compliance schedule, as required by 40 CFR Part 60, Subpart BBBBB. The only source in Utah that is regulated by the Plan and R307-223 is Wasatch Energy Systems in Davis County.

4. A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:

No written comments have been received since the last five-year review.

5. A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any:

R307-223 is required by 40 CFR Part 60, Subpart BBBBB.

6. key words

air pollution, municipal waste incinerator, waste to energy plant

7. attach document.

Agency head or designee, and title

Date

m. Cuyt Dy
2-23-07